



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASED**

Washington, DC – The Commission has released its report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the second quarter of calendar year 2004.

Wireless complaints decreased from 8,830 last quarter to 7,159 this quarter. Except for a modest increase in Billing and Rate and Service Quality complaints, there were decreases in all major categories, with the biggest decrease in Number Portability complaints. Wireline complaints continued a downward trend dropping from 17,680 to 15,242, with the largest decrease occurring in the Telephone Consumer Protection Act (TCPA) category.

Indecency complaints once again were the top category of Radio and Television Broadcasting complaints with 272,818 received during the second quarter. Cable complaints continued downward, decreasing slightly from 175 to 169.

Wireless inquiries dropped from 14,094 to 11,575, with the largest decreases occurring in the Number Portability and Electrical Interference categories. Wireline inquiries also decreased as a sharp decline in the number of Telephone Consumer Protection Act (TCPA) inquiries outpaced modest increases in the numbers Slamming and Cramming inquiries. Radio and Television Broadcasting inquiries fell from 9,017 in the 1<sup>st</sup> quarter to 7,645 in the 2<sup>nd</sup> quarter. The biggest drop occurred in the Programming and Content category. Cable inquiries experienced the biggest percentage decline, falling from 8,581 in the 1<sup>st</sup> quarter to 4,662 in the 2<sup>nd</sup> quarter. A large decrease in the number of Programming inquiries accounted for the change.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company at issue.

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CGB contact: Thomas Wyatt at (202) 418-1400.

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**2nd Quarter Calendar Year 2004**  
**Executive Summary**

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) received during the 2<sup>nd</sup> quarter of calendar year 2004.<sup>1</sup> Inquiries are defined as correspondence or communications received at the Commission from individuals seeking information on matters under the FCC's jurisdiction. Informal consumer complaints are defined as a communication received at CGB's consumer centers either via postal mail, fax, email or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief.

Wireless complaints decreased from 8,830 last quarter to 7,159 this quarter. Except for a modest increase in Billing and Rate and Service Quality complaints, there were decreases in all major categories, with the biggest decrease in Number Portability complaints. Wireline complaints continued a downward trend dropping from 17,680 to 15,242, with the largest decrease occurring in the Telephone Consumer Protection Act (TCPA) category.

Indecency complaints once again were the top category of Radio and Television Broadcasting complaints with 272,818 received during the second quarter. Cable complaints continued downward, decreasing slightly from 175 to 169.

Wireless inquiries dropped from 14,094 to 11,575, with the largest decreases occurring in the Number Portability and Electrical Interference categories. Wireline inquiries also decreased. A sharp decline in the number of Telephone Consumer Protection Act (TCPA) inquiries outpaced modest increases in Slamming and Cramming inquiries. Radio and Television Broadcasting inquiries fell from 9,017 in the 1<sup>st</sup> quarter to 7,645 in the 2<sup>nd</sup> quarter. The biggest drop occurred in the Programming and Content category. Cable inquiries experienced the biggest percentage decline, falling from 8,581 in the 1<sup>st</sup> quarter to 4,662 in the 2<sup>nd</sup> quarter. A large decrease in the number of Programming inquiries accounted for the change.

The Commission receives many informal complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company or companies at issue.

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<sup>1</sup> The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period April 1, 2004 to June 30, 2004. The information generated for this specific report is information entered into the tracking systems on or before a specific date. In addition, the data within this report account for statistics at the national level as reported to the Commission and, therefore, are not necessarily indicative of corresponding state or local trends.

## **Top Consumer Issues – Subject Category Reference Guide**

### **CABLE SERVICES**

**Billing & Rates:** Complaints/inquiries concerning billing matters and the rates charged for cable programming service (or expanded basic) tier on a cable system

**Cable Modem Service:** Complaints/inquiries regarding cable modem service.

**Connections to Cable Systems:** Complaints/inquiries regarding availability or quality of connections to cable systems.

**Disability Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming.

**Over-The-Air-Reception-Devices (OTARD) Issues:** Complaints/inquiries regarding the installation, maintenance or use of antennas -- including direct-to-home satellite dishes that are less than one meter (39.37") in diameter (or of any size in Alaska), TV antennas, and wireless cable antennas -- to receive video programming

**Programming Issues:** Complaints/inquiries regarding program content or the choice of channels or programs available to subscribers.

**Satellite Issues:** Complaints/inquiries regarding satellite.

**Service Related Issues:** Complaints/inquiries about the quality of service provided by cable operators.

### **RADIO & TELEVISION BROADCASTING**

**Disability Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming.

**General Broadcast Information:** Inquiries regarding general broadcast requirements, licenses, and community obligations.

**How to Start Broadcast Station:** Inquiries regarding starting a broadcast station.

**Low Power Issues:** Inquiries regarding low power TV and low power radio

**Political Programming:** Inquires regarding political programming.

## **Programming Issues**

- Indecency/Obscenity: Complaints/inquiries regarding broadcast programs that allegedly contain indecent or obscene material
- Loud Commercials: Complaints/inquiries regarding abrupt changes in volume during transition from regular programming to commercials
- Religious: Complaints/inquiries regarding religious programs
- Violence: Complaints/inquiries regarding violence in programs
- General Content Criticism: generalized concerns regarding the content of broadcast programs

## **WIRELESS TELECOMMUNICATIONS**

**Amateur License Issue:** Inquiries regarding Amateur license acquisition, requirements, eligibility, and replacement

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates - Airtime Charges:** Complaints/inquiries regarding charges to subscriber for actual time spent talking on a wireless phone

**Billing/Rates-Credit/Refunds/Adjustments:** Complaints/inquiries regarding credits, refunds, or bill adjustments

**Billing/Rates - Line Items:** complaints/inquiries regarding surcharges and taxes appearing on a phone bill

- Access Charge: Complaints/inquiries regarding miscellaneous line items charges
- E-911: Complaints/inquiries regarding provision of automatic location information and automatic number identification via a wireless phone used to contact a 911 call center.
- Taxes: Complaints/inquiries regarding taxes appearing on cellular bill
- Universal Service: Complaints/inquiries about the availability and affordability of phone service for low income consumers in geographic areas where the costs of providing telephone service is high

**Billing/Rates – Recurring Charges:** Complaints/inquiries over recurring monthly charges that appear on a customer’s bill

**Billing/Rates – Roaming Rates:** Complaints/inquiries about charges assessed to the subscriber for wireless calls made while roaming in another carrier’s territory

**Billing/Rates – Rounding:** Complaints/inquiries about the practice of rounding calls to a full minute

**Billing/Rates – Service Plan Rate:** Complaints/inquiries about the terms and conditions of service:

- Activation Fee: usually one time charge to initiate service
- Off-Peak: specified time where per-minute rate is lower
- Optional Services: including caller-id, voice mail, road-rescue, etc.
- Peak: specified time where per-minute rate is higher
- Prepaid Service: subscriber pays for service in advance
- Promo Plan: including minute allowances
- Security Deposit: usually one time charge that is held by the carrier for a specified timeframe in order for subscriber to acquire service

**Carrier Marketing & Advertising:** Complaints/inquiries regarding advertising and marketing practices of carriers including alleged misrepresentations

**Contract – Early Termination:** Complaints/inquiries regarding termination of a subscriber’s service prior to end of specified contract term

- Termination of Service by subscriber: subscriber’s liability for terminating service prior to specified contract term
- Termination of Service by carrier: carrier’s right to disconnect a subscriber’s service prior to end of a specified contract term

**Electrical Interference Issue:** Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment.

**General Mobile Radio Service (GMRS) License Issue:** Inquiries regarding GMRS license acquisition, requirements, eligibility, and replacement.

**Land Mobile (LM) License Issue:** Inquiries regarding LM license acquisition, requirements, eligibility, and replacement.

**Service – Quality/Coverage:** Complaints/inquiries regarding quality of service or the lack of coverage within a geographic area served by a wireless provider:

- Dead Spots: inability to receive service within certain areas
- Dropped Calls: premature termination of calls
- Home Area Service: overall quality of service within the subscriber’s local calling area
- Network Busy Signal: involving calls that do not go through because of overcrowding of the service frequencies
- Roaming Availability: availability of service outside the subscriber’s local calling area
- Roaming Service: overall quality of service while roaming
- Service Interruption: inability to use cellular phone because service was interrupted by service provider

## **WIRELINTELECOMMUNICATIONS**

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates Credit/Refunds/Adjustments:** Complaints/inquiries about credits, refunds, or adjustments allegedly owed to the subscriber

**Billing/Rates – Line Item:** Complaints/inquiries about the line items appearing on telephone bills:

- Access – Subscriber Line Charge: questions regarding subscriber local-loop line charges for maintaining residential and business and telephone access to the network
- Access – Universal Service: questions regarding the FCC’s universal service fund-affordable access to basic telephone service for low-income consumers and consumers in high-cost areas, and communications services for schools and libraries and health care facilities
- Interstate Directory Assistance: questions about charges assessed for access to directory assistance information
- Taxes on Telephone Bill: questions about local, state, or federal taxes appearing on a telephone bill
- Truth in Billing - No Service Provider ID: Complaints/inquiries about whether the name of the service provider and/or contact information for the service provider is easily identifiable on the bill
- Truth in Billing - Bundled Charges: Complaints/inquiries about whether bills contain plain language description and breakdown of charges for each carrier when multiple carriers appear on the bill
- Truth in Billing - No Payment Solution: Complaints/inquiries about whether a bill clearly distinguishes charges for which nonpayment will result in disconnection from those that will not result in disconnection

**Billing/Rates – Rates:** Miscellaneous complaints/inquiries about the rates and charges billed by telephone companies:

- Casual Call Billing: rates billed for calls placed from non-public phones through a carrier who is not the presubscribed carrier for the telephone (or which does not recognize a telephone number as that of a subscriber)
- Double Billing: dispute involving alleged double billing for calls or services
- DSL Rate Problem: DSL promotion plan rates allegedly altered or unspecified to consumer
- International Internet Dial-up: international calls (routed to places like Chad, Madagascar or other countries) that were billed to consumers as a result of using local (domestic) Internet service providers to access websites
- International Calls – Rates: international calls, rates and/or service that either originate or terminate in the U.S.

- International 809# Billing: 809 area code collect call and consumer dialing scam
- 900 Pay-Per-Call Billing: commercially provided interstate 900 number information or entertainment services
- OSP Rates: rates charged for interstate calls placed from public phones
- Rates for Interstate Telecommunications Services – Billing: disputes about interstate rates and charges

**Billing/Rates – Recurring Charges**: Complaints/inquiries about recurring charges that appear on a customer’s bill

**Carrier Marketing & Advertising**: Complaints/inquiries regarding the marketing and advertising practices of interexchange carriers

**Cramming**: Complaints/inquiries about allegedly unauthorized, misleading, or deceptive charges appearing on a telephone bill.

**Digital Subscriber Line Issues**: Complaints/inquiries regarding digital subscriber line service.

**Slamming** – Complaints/inquiries regarding the practice of changing a subscriber’s telecommunications service provider (or a calling plan) without the subscriber’s permission

- International slam: changing a subscriber’s international long distance service without permission
- Local Service slammed: changing a subscriber’s local or regional intrastate long distance service without permission
- Local and Long Distance slammed: changing a subscriber’s local and long distance service without permission
- Long Distance slammed: changing a subscriber’s interstate telephone company service without permission
- Slamming w/Problem LOA: changing a subscriber’s interstate telephone company based on fraudulent signed documents or illegal format, such as sweepstake.

**Telephone Consumer Protection Act (TCPA)**: Complaints/inquiries regarding compliance with the TCPA:

- Artificial or Prerecorded Message and/or ATDS: calls to a residence using an artificial or prerecorded voice to deliver a message without prior consent of the called party prohibited unless an emergency exists
- Do Not Call List Request Not Honored: no person or entity may initiate any telephone solicitation to a residential telephone subscriber-- unless such person or entity has instituted procedures for maintaining a list of persons who have requested not to receive telephone solicitations

- Fax Complaint: unsolicited (“junk”) faxes or the use of a computer or other device to send any messages via a telephone facsimile prohibited unless such message clearly contains the date and time it is sent and an identification of the business, other entity or individual sending the message
- TCPA General Solicitations: the initiation of a call or message for the purpose of encouraging the purchase or rental of, or investment in property, goods, or services
- Time of Day violation: no person or entity may initiate any telephone solicitation to a residential telephone subscriber before 8 a.m. or after 9 p.m. (local time based on the called party’s location)

**Summary of Top Consumer Complaint\* Subjects  
Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)  
Second Quarter - Calendar Year 2004**

	April	May	June	Quarter Total
<b>Cable Services</b>				
Billing & Rates	25	27	21	73
Cable Modem Service	11	4	6	21
Disability Issues	6	4	4	14
Programming Issues	8	7	15	30
Service Related Issues	8	9	14	31
<b>Totals</b>	<b>58</b>	<b>51</b>	<b>60</b>	<b>169</b>

	April	May	June	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
Disability Issues	8	3	5	16
Howard Stern Commentary	15	1	4	20
Programming - General Criticism	23	45	26	94
Programming - Indecency/Obscenity**	270,287	1,696	835	272,818
Other Programming Issues	3	4	3	10
<b>Totals</b>	<b>270,336</b>	<b>1,749</b>	<b>873</b>	<b>272,958</b>

	April	May	June	Quarter Total
<b>Wireless Telecommunications</b>				
Billing & Rates	1,179	1,220	1,333	3,732
Carrier Marketing & Advertising	259	241	291	791
Contract - Early Termination	290	327	353	970
Number Portability	356	294	326	976
Service Quality	206	221	263	690
<b>Totals</b>	<b>2,290</b>	<b>2,303</b>	<b>2,566</b>	<b>7,159</b>

	April	May	June	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	1,299	1,316	1,322	3,937
Carrier Marketing & Advertising	184	175	160	519
Cramming	187	188	151	526
Slamming	532	402	484	1,418
Telephone Consumer Protection Act	3,120	2,802	2,920	8,842
<b>Totals</b>	<b>5,322</b>	<b>4,883</b>	<b>5,037</b>	<b>15,242</b>

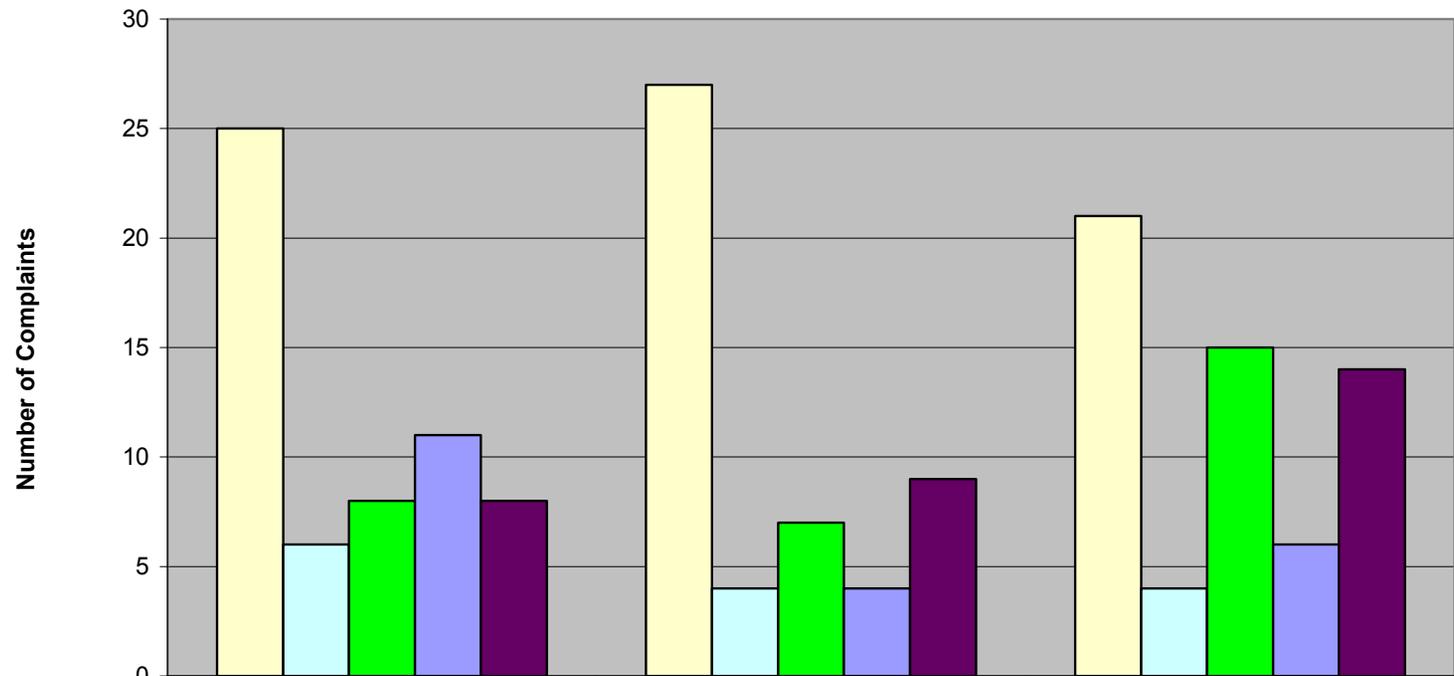
**NOTES:** (1) See attachment for brief description of subject categories.

\* A complaint is defined as a communication received at CGB's consumer center either via letter, fax, email or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief. The FCC receives many complaints that do not involve violations of the Communications Act or a FCC rule or order. The existence of a complaint does not necessarily indicate wrongdoing by the company involved.

\*\* Complaints regarding alleged indecency/obscenity during specific broadcasts are forwarded to the Enforcement Bureau (EB) for appropriate handling. Commencing with this report, the reported counts reflect complaints received directly by CGB, complaints forwarded to EB, complaints received separately by EB, and complaints emailed directly to the FCC Commissioner's offices and FCCINFO. The reported counts may also include duplicate complaints or contacts that subsequently are determined insufficient to constitute actionable complaints.

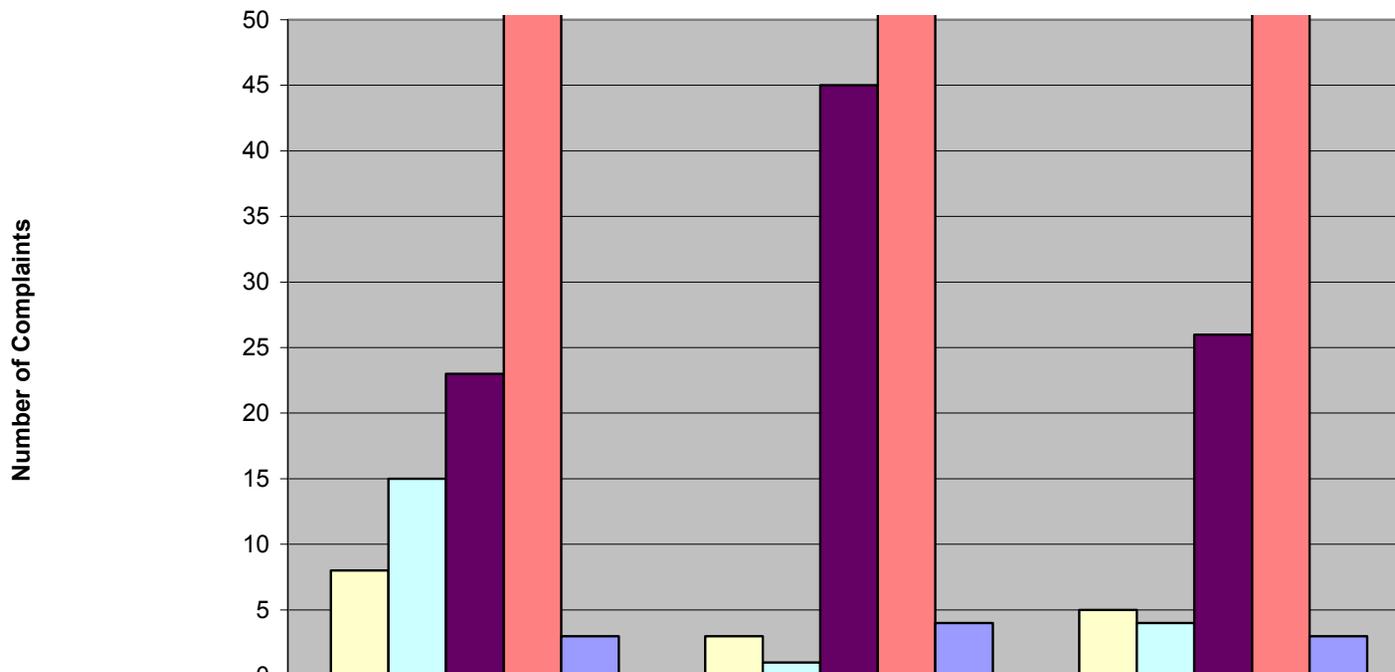
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Complaints  
Second Quarter - Calendar Year 2004**



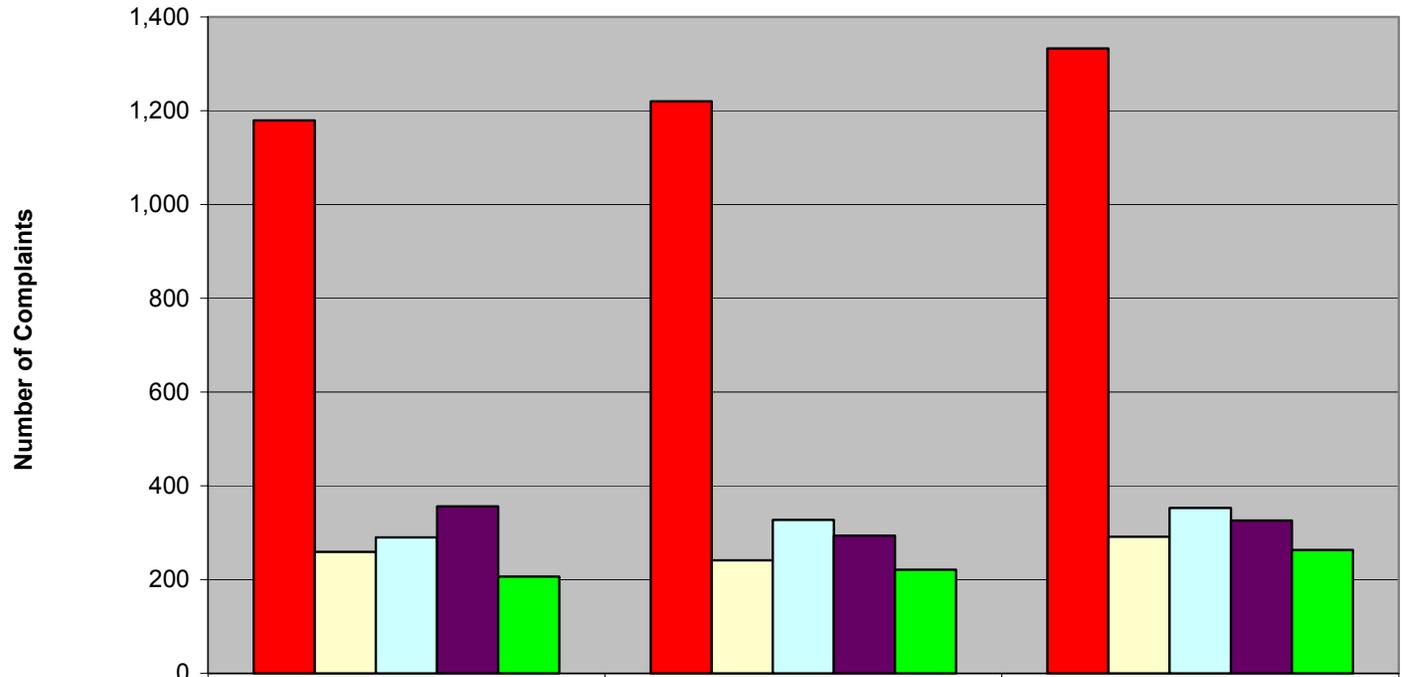
	April	May	June
■ Billing & Rates	25	27	21
■ Disability Issues	6	4	4
■ Programming Issues	8	7	15
■ Cable Modem Service	11	4	6
■ Service Related Issues	8	9	14

**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Consumer Complaints  
Second Quarter - Calendar Year 2004**



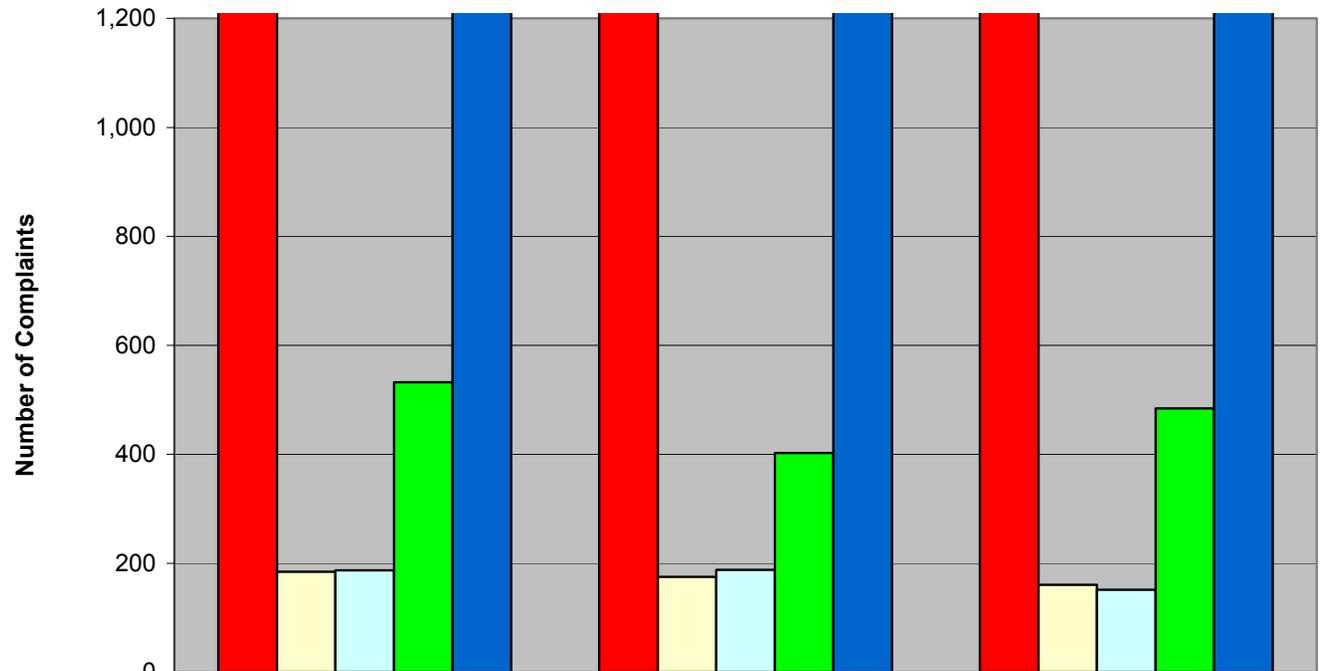
	April	May	June
Disability Issues	8	3	5
Howard Stern Commentary	15	1	4
Programming - General Criticism	23	45	26
Programming - Indecency/Obscenity**	270,287	1,696	835
Other Programming Issues	3	4	3

**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Complaints  
Second Quarter - Calendar Year 2004**



	April	May	June
■ Billing & Rates	1,179	1220	1,333
□ Carrier Marketing & Advertising	259	241	291
□ Contract - Early Termination	290	327	353
■ Number Portability	356	294	326
■ Service Quality	206	221	263

**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Complaints  
Second Quarter - Calendar Year 2004**



	April	May	June
■ Billing & Rates	1,299	1,316	1,322
■ Carrier Marketing & Advertising	184	175	160
■ Cramming	187	188	151
■ Slamming	532	402	484
■ Telephone Consumer Protection Act	3,120	2,802	2,920

**Summary of Top Consumer Inquiry\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**Second Quarter - Calendar Year 2004**

	April	May	June	Quarter Total
<b>Cable Services</b>				
Billing & Rates	258	181	183	622
Programming Issues	347	261	292	900
Over the Air Reception Device Issues	279	255	268	802
Satellite Issues	292	234	279	805
Service-Related Issues	540	488	505	1,533
<i>Totals</i>	1,716	1,419	1,527	4,662

	April	May	June	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
General Broadcast Information	271	209	211	691
How to Start Broadcast Station	180	151	125	456
Low Power Broadcast Information	208	144	175	527
Political Programming	94	78	65	237
Programming & Content	2,391	1,979	1,364	5,734
<i>Totals</i>	3,144	2,561	1,940	7,645

	April	May	June	Quarter Total
<b>Wireless Telecommunications</b>				
Amateur License	690	720	567	1,977
Electrical Interference	1,999	1,805	2,134	5,938
General Mobile Radio Service License	513	579	671	1,763
Land Mobile License	330	310	340	980
Number Portability	356	288	273	917
<i>Totals</i>	3,888	3,702	3,985	11,575

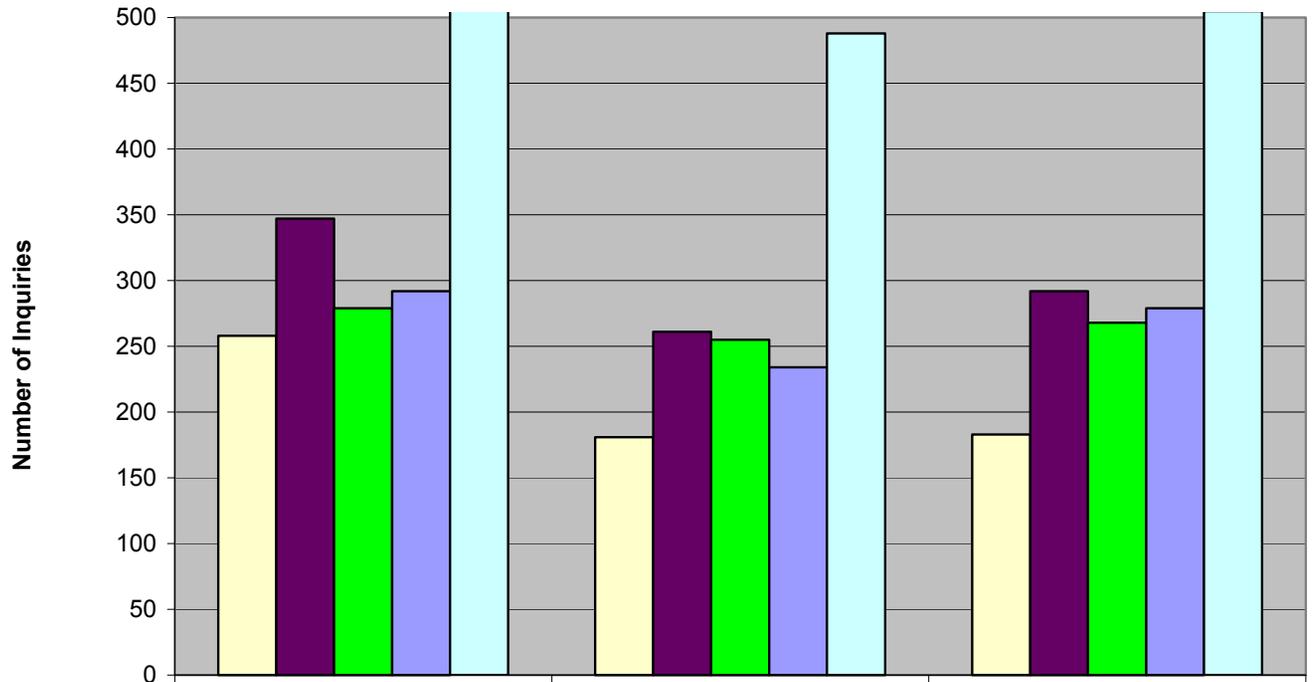
	April	May	June	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	1,591	1,508	1,683	4,782
Cramming	3,910	3,683	3,903	11,496
Digital Service Line Issues	116	105	108	329
Slamming	9,008	7,685	7,672	24,365
Telephone Consumer Protection Act	4,068	2,895	3,486	10,449
<i>Totals</i>	18,693	15,876	16,852	51,421

**NOTES:**

\* An inquiry is defined as a correspondence received at CGB's consumer center either via letter, fax, email or telephone from individuals seeking information on matters under the FCC's jurisdiction.

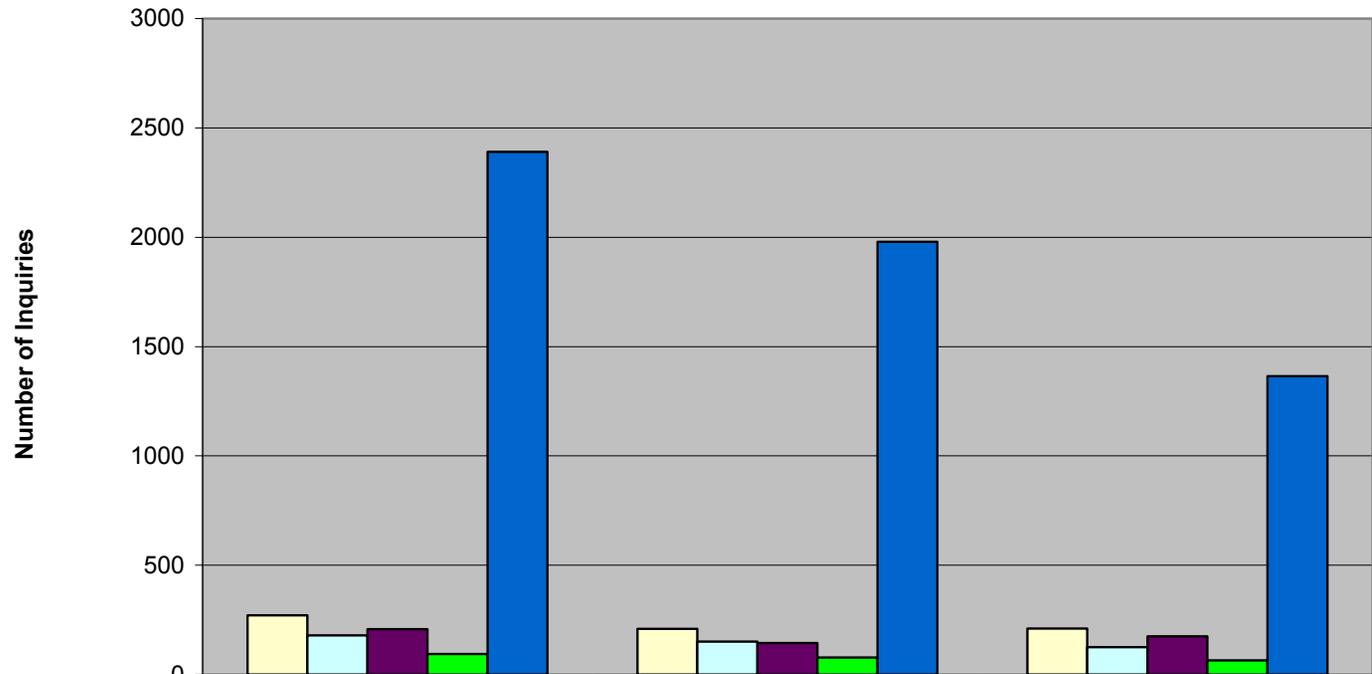
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**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Inquiries  
Second Quarter - Calendar Year 2004**



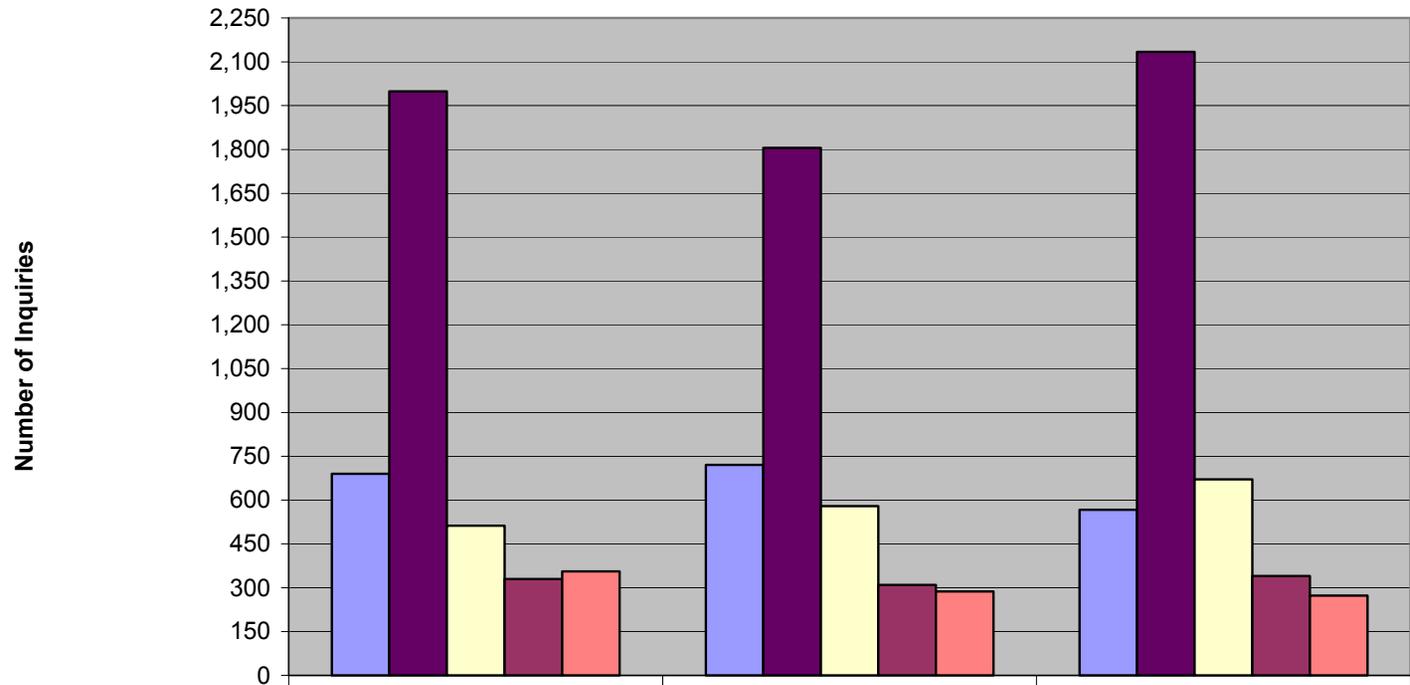
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■ Service-Related Issues	540	488	505

**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Inquiries  
Second Quarter - Calendar Year 2004**



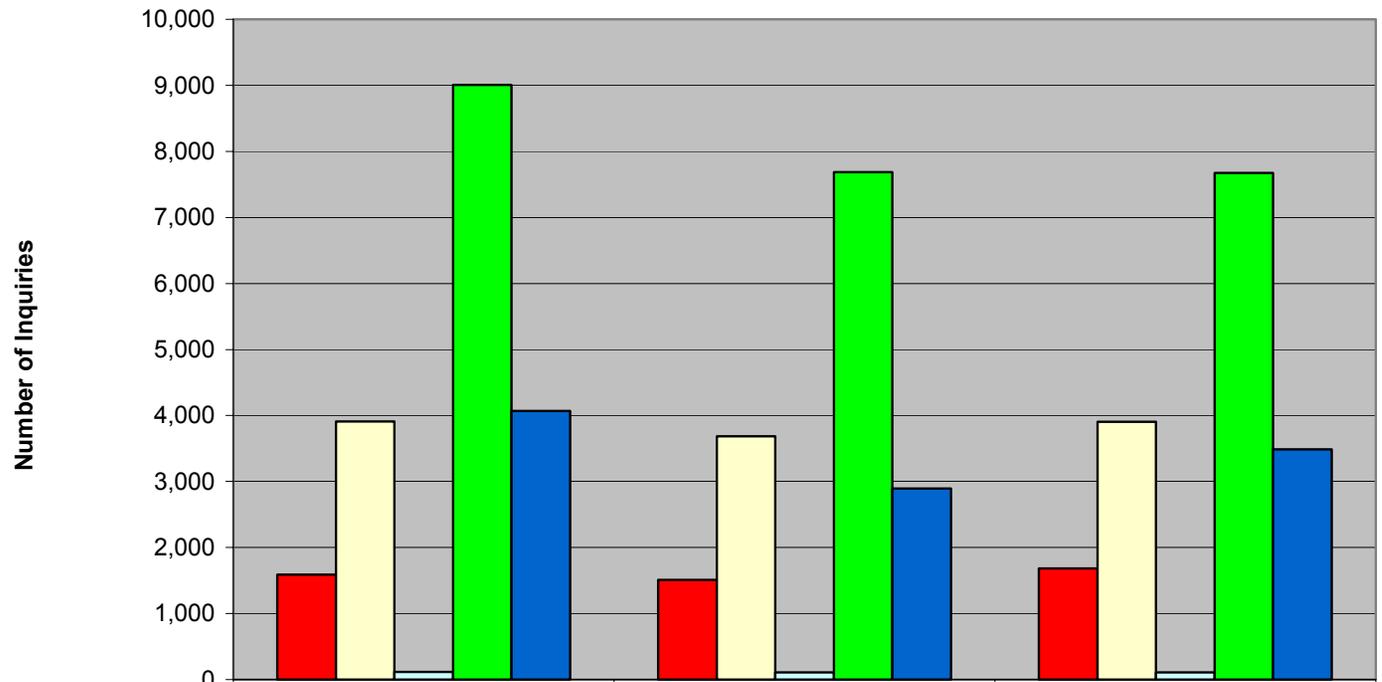
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Political Programming	94	78	65
Programming & Content	2,391	1,979	1,364

**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Inquiries  
Second Quarter - Calendar Year 2004**



	April	May	June
Amateur License	690	720	567
Electrical Interference	1,999	1,805	2,134
General Mobile Radio Service License	513	579	671
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**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Inquiries  
Second Quarter - Calendar Year 2004**



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